

RICHARD B. LIND
Attorney at Law
575 Lexington Avenue – 4th Floor
Cellphone: (917) 747-9603
Email: rlind@lindlawyer.com

February 18, 2021

By ECF

Hon. Katherine Polk Failla
United States District Judge
U.S. Courthouse
40 Center Street
New York, NY 10007

MEMO ENDORSED

Re: United States v. Jose Rivera
18 Cr. 744 (KPF)

Dear Judge Failla:

I am lead CJA counsel for Defendant Jose Rivera in the above-referenced matter. I write to request that his sentence be adjourned from its present date of March 11, 2021 to a date in the week of April 19, 2021 other than on April 20 when I have a separate sentencing proceeding before Judge Gardephe. The grounds for the request are that Mr. Rivera was only very recently transferred from Valhalla to another jail in Orange County, New York where he is being held in quarantine for three weeks and is unable to review our submissions. Moreover, our mitigation consultants only furnished their submission yesterday, and I will probably be unable to receive Mr. Rivera's views on it in a timely fashion. Accordingly, I have communicated with A.U.S.A. Michael Longyear, and the government consents to this request.

Thank you for the Court's consideration of this request.

Respectfully submitted,

/s/
Richard B. Lind

cc: All Counsel (by ECF)

Application GRANTED. The sentencing scheduled for March 11, 2021, is hereby ADJOURNED to April 23, 2021, at 3:00 p.m. Defendant's sentencing submission will be due on or before April 9, 2021, and the Government's sentencing submission will be due on or before April 16, 2021.

Dated: February 18, 2021
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE